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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13
14 UNITED STATES OF AMERICA,) No. 3-12-71281-MAG
15 Plaintiff,) STIPULATION AND [PROPOSED]
16 v.) ORDER EXTENDING TIME PURSUANT
17 TROY CHATTARIYANGKUL,) TO FED. R. CRIM. P. 5.1 AND 18 U.S.C.
18 Defendant.) § 3161(h)

19
20 The parties, by and through counsel, stipulate and agree as follows:

21 1. The time limits in Fed. R. Crim. P. 5.1(c) shall be extended to and until February 5,
22 2013, and the hearing scheduled for January 16, 2013, vacated.

23 2. Counsel for the United States and the defendant wish to exchange certain information,
24 and to meet and confer prior to the time of Indictment to discuss a potential resolution of the
25 case. Counsel for the defendant believes based on the charge alleged in the Complaint that it is
26 in the best interest of the defendant to obtain further information, consult with the defendant, and
27 meet with the government prior to Indictment; counsel for the government believes that it is in
28 the interests of justice to do so. In addition, counsel for the defendant will be unavailable for

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1 medical reasons from January 11, 2013, through January 25, 2013. The parties agree that
2 extending the time limits of Rule 5.1 serves the ends of justice and outweighs the interests of the
3 public and the defendant in a speedy trial, and that failing to extend the time limits would deny
4 counsel for the government and the defendant the reasonable time necessary for effective
5 preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7).

6 3. The hearing scheduled for January 16, 2013, for defendant Chattariyangkul should be
7 vacated. The next court appearance in this case shall be February 5, 2013, at 9:30 am
8 before the duty magistrate in San Francisco, for preliminary hearing or indictment. The parties
9 may seek further extension of the time limits in Rule 5.1(c) by stipulation.

10 || SO STIPULATED AND AGREED;

11

12 DATED: MELINDA HAAG
13 United States Attorney
14 /s/
15 JOHN H. HEMANN
Assistant United States Attorney

17 DATED: /s/
18 _____ GAIL SHIFMAN
Counsel for Troy Chattariyangkul

~~{PROPOSED}~~ ORDER

Pursuant to stipulation, Fed. R. Crim. P. 5.1, and 18 U.S.C. § 3161(h)(7), IT IS SO ORDERED.

24 | DATED: January 11, 2013

WBC

LAUREL BEELER
United States Magistrate Judge

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